City of Seattle
Edward B. Murray, Mayor

Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3014232/3014233

Applicant Name: Jon Hall of GGLO for AMLI Development Co. LLC

Address of Proposal: 3400 & 3326 Wallingford Avenue North

SUMMARY OF PROPOSED ACTIONS

Project # 3014232: Land Use Application to allow a 131 unit residential development in two, five story structures. Project includes 14 live/work units. Project also includes parking for 181 vehicles to be located in a below grade garage. Existing structures to be removed.

Project # 3014233: Land Use Application to allow an 80 unit residential development in two, five story structures. Project includes 11 live-work units. Project also includes parking for 102 vehicles to be located in a below grade garage. Existing structures to be removed.

The following approvals are required:

Administrative Conditional Use - Seattle Municipal Code (SMC) Section 23.47A. 006A.3
SEPA - Environmental Determination pursuant to SMC 25.05

SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

[X] DNS with conditions*

[ ] DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

* Notice of the Early Determination of Non-significance was published on May 30, 2013, revised on January 23, 2014 and re-noticed on February 3, 2014.

BACKGROUND

The applicant initially sought an Administrative Design Review component due to an interest in receiving departures from the Land Use Code. DPD staff provided early design guidance in the form of a report dated May 9, 2013. The applicant proceeded with a Master Use Permit (MUP)

application submittal six days later. Eight months into the MUP review the applicant elected to remove the departures from the proposal thus proposing site development that complied with the Code. This action eliminated the Administrative Design Review component from the department's review process.

PROJECT DESCRIPTION

The applicant proposes two structures across from one another fronting on N. 34th Street in the Wallingford neighborhood.

North Site (#3014232 at 3400 Wallingford Ave. N.):
The proposed building for the north side of N. 34th sits between Wallingford Ave. N. on the west and Burke Ave. N. on the east. The property extends 237 feet northward from N. 34th St. to include a parcel containing an apartment buildings and a vacant lot. Schematically, two parallel volumes occupy the eastern and western halves of the site with a linear court or plaza between them connecting N. 34th St. to the north property line. A skybridge crosses the north-south linear open space linking the two parallel masses. A smaller muse, beginning near the line dividing the commercial from the lowrise zone, extends from Wallingford Ave to the perpendicular north-south plaza.

The entire structure sits above a below grade garage containing 181 parking spaces accessed from Wallingford Ave. A small plaza would anchor the site's southwest corner at Wallingford Ave and N. 34th St. The applicant proposes situating fitness and media rooms as well as a leasing office, all separated from the street by a partially enclosed hallway, along N. 34th. Eight live/work units face Wallingford Ave N and another six live/work units front onto Burke Ave N. Above the stepped first level would be 131 dwelling units.

The Wallingford Ave elevation beginning from the north is three stories with the top floor set back from the lower mass which sits 19'5" from the property line. Garage access occurs on Wallingford Ave within this portion of the complex resembling a townhouse in the LR2 zone. A gasket bridging the masses in the LR2 and the C2 40 zones permits a passageway underneath an enclosed corridor and residential unit at the second level. The open portal forms a gated pedestrian entrance from Wallingford Ave. The larger mass within the C2 40 zone stretching along Wallingford Ave has slight modulations in the horizontal and vertical directions along the façade. The height of the roof remains essentially the same along the four stories. The entrances to the units along Wallingford Ave rest at or close to sidewalk grade. On the south end of the structure, a small plaza graced by an exterior metal staircase forms a visual backdrop to a proposed plaza at the corner of Wallingford Ave. and N. 34th St.

Within the LR2 zone, the east or Burke Ave façade sits closer to the property line than the Wallingford Ave portion. Visually it resembles the other elevation with its three stories, setback upper level and slanted roof resembling contemporary townhouses. The lower portion of the mass, which aligns with the setback in the C2-40 zone, sits closer to the property line than the equivalent volume on the west side. The gasket between the two masses houses a pedestrian entrance and a dwelling unit but does not provide through open air passage to the central muse or open space. The sloping site allows the C2-40 portion of the complex to rise to five floors along Burke Ave. Without the open space at the corner and the additional floor level, the Burke façade appears more massive than the Wallingford Ave elevation. Modulations along the wall occur in

both the vertical and horizontal direction with two level projecting bays and a series of seemingly randomly placed balconies. Several of the live/work units perch below sidewalk grade. The southern portion of the façade drops down in height from five to four floors. The materials and detailing is a continuation of the building design fronting N. 34th St. A distinct part of the Burke Avenue massing, this south end's detailing and materials visually connect with the N. 34th elevation.

The south elevation introduces the complex's two wings (unseen from the two avenues) with its skybridge straddling the central muse or terraced plaza between the two masses. Fenestration patterns and materials suggest a two-story base with two-levels above dressed in metal siding and a somewhat more rigid arrangement of glazing projecting several feet beyond the base.

Demolition includes the Avtech facility (20,270 square feet) and a single family house.

South Site (# 3014233 at 3326 Wallingford Ave N.):
The south site, situated south of N. 34th St. between Wallingford Ave N. and Burke Ave N., wraps around the Varsity Inn restaurant at the corner of 34th St. and Wallingford Ave forming a truncated "L" shape. The proposed building has two separate wings fronting the two avenues split in half by a terraced open space that descends in step with the slope. A multi-level skybridge connects the two wings as does a below-grade garage. This portion of the proposed complex would house 80 dwelling units and 11 live/work units over the garage containing 102 parking spaces accessed from Burke Ave. The two parallel volumes, separated by an open space, extend lengthwise in the north-south direction. The western volume lies behind the Varsity Inn with a sky bridge connecting the east structure across the plaza separating them. An exterior passageway connects N. 34th St. with this plaza threading through the center of the site.

The Varsity Inn obscures much of the building's western portion from N. 34th St. A two-story base fronts N. 34th on the east side with three live/work units facing the street. The other half of the base turns its face toward Burke Ave fashioning a discontinuous façade on this commercially oriented street. Above the base, two upper floors house residential units with a façade that resembles the south elevation of the north building. The Wallingford Ave mass steps back at the lower level approximately ten feet from the property line albeit three sets of steps and their solid stoops are 2'6" from the sidewalk. At the south end of the building, the mass deflects or angles away from the right of way. The two upper floors project over the lower floors shifting the mass six and half feet from the west property line. The roof of the building remains a constant plane in contrast to the sloping grade. Closer to N. 34th St., the building rises three floor above sidewalk grade and then a lower story emerges (totaling four levels) in the site's declension toward the south. Two live/work units front onto Wallingford.

The massing along the Burke elevation is more dramatic with shifting planes defining a two-story base as the grade descends. Materials, colors and window treatment change along the descending base. The number of levels changes from four near N. 34th St. to five along the majority of the façade. Mirroring the Wallingford Ave elevation, the structure's south end angles back away from the street. Changes in color, materials and window patterns accentuate the planar shifts occurring. Along Burke Ave the applicant proposes six live/work units, some of which reside partially below-grade, in addition to the three facing N. 34th St. Pedestrian and vehicular access to the south development occurs along Burke Ave.

The proposed demolition would remove the 202,000 sq. ft. manufacturing building (formerly Avtech) and a small single family edifice.

SITE & VICINITY

North site:
Three parcels totaling 54,720 square feet comprise the development site north of N. 34th St. Split zoned, the site's southern two-thirds containing the former Avtech manufacturing complex possesses a Commercial Two (C2-40) designation with a 40 foot height limit. The two northern most parcels are classified as multi-family Lowrise Two (LR2). These residentially zoned parcels contain one vacant single family structure and a vacant lot. The site approximately measures 240 linear feet along Wallingford Ave N., 228 feet at N. 34th St. and 240 feet on Burke Ave N. The site slopes roughly 20 feet from the northwest to the southeast corner. There are no mapped environmentally critical areas.

South site:
The site south of N. 34th St, has four parcels totaling 34,200 sq. ft., housing structures for the erstwhile Avtech company. Zoned C2 40, the site extends for 120 linear feet of frontage on Wallingford Ave N., 114 feet on N. 34th St. and 180 feet on Burke Ave N. The site's declension begins at N. 34th St and drops by approximately 22 feet at the southeast corner. DPD's mapping does not indicate environmental critical areas on the property.

The two development sites lie within the south part of Wallingford. Prevailing attributes of the neighborhood include its slope, the views toward Lake Union and downtown, the street grid and the nature of the nearby building forms and uses. North 34th St. possesses a predominantly commercial character that includes an array of small and large business uses. This east/west commercial corridor has its physical peak at the intersection of N. 34th St. and Wallingford. The two north south avenues connect residential Wallingford to the recreational amenities to the south. In this portion of the neighborhood, these streets are residential in character but possess distinctly different scales. Properties along Wallingford Ave are developed with sizeable, mid-rise multi-family structures. Some of these buildings house commercial uses at the base facing N. 34th St. The lower scaled Burke Ave has modest sized single family homes, small clusters of townhouses and a few lowrise apartment buildings.

North 34th St. is classified as a principal arterial street. The city has designated Wallingford Ave, north of 34th St, as a collector. Burke Ave. N. and Wallingford Ave N, south of N. 34th, are non-arterials.

The range of land use types represents a diverse amalgamation of commercial, industrial and residential uses. To the northeast and northwest, a variety of multi-family residential uses including townhouses and larger multi-family buildings sit close by the two project sites. The larger residential buildings were constructed in the years between 1969 and 2005. Beyond the multi-family structures, single family houses, many known as bungalows and craftsman style houses, comprise the dominant character of the area. Commercial and industrial uses extend to the east and west as well as the south. Abutting the project's southern site, the Varsity Inn restaurant occupies the southeast corner of N. 34th St. and Wallingford Ave N.

Several important recreational features anchor the southern portion of Wallingford---Gas Works Park, the Burke Gilman Tail, and Lake Union. The Wallingford Steps in part links these neighborhood and regional landscape (and transportation) amenities to the project site and the heart of Wallingford.

Lowrise Two zoning in the area extends along the Wallingford Ave. corridor from the northern portion of the site to N. 37th St. The same zone continues to the east of the site toward N. Pacific St. Northwest and northeast of the properties, single family zoning (SF 5000) predominates. SF 5000 zoning begins to the north of N. 35th St. Zoning for commercial uses (C1 40 and C2 40) extends in a corridor fronting N. 34th St. and N. Northlake Way. Industrial Buffer (IB U/45) and Industrial Commercial (IC 45) with height limits ranging from 45 feet to unlimited (depending upon the use) extend along the waterfront and follow the N. Northlake Pl. corridor.

PUBLIC COMMENT

DPD received over 100 comment letters and emails. The majority of the correspondence focused on the proposed garage access on Burke Ave. N. For the writers, the problematic location of the garage would engender impacts on the following: pedestrian and vehicular safety; an already crowded neighborhood street; and produce significant quantity of cut-through traffic on a local street. Related issues include concerns about an insufficient amount of parking to be provided for the number of proposed units and parking spillover into the neighborhood generated by the project. (DPD staff note: During the review process, the applicant relocated the parking access for the north site to Wallingford Ave N.)

Other issues raised by the public include the following: the lack of true commercial uses in a commercially zoned area needing local services; building height exceeding appropriate heights for the area; the distribution of green space (most of it placed in the center of the site rather than on the edges); adequacy of site drainage; adequate building setbacks from the street; views to downtown; and massing setbacks. A few letters asked for a clarification or denial of the departure requests and some challenged the adequacy of the information provided about the departures. (DPD note: During the review process, the applicant withdrew the departure requests.)

Several letters used the Wallingford neighborhood specific guidelines to frame their comments. Suggestions included the use of brick, installation of plazas at the corners, stepping the structure down the slope along N. 34th St., and ensuring larger setbacks at the streets. Letters also conveyed interest in Option #2 for the south site and the need for true commercial space as opposed to live/work units fronting N. 34th St.

A series of letters addressed the adequacy of the administrative design review process and the community's desire for a public meeting.

DPD conducted a public meeting on June 4, 2013 to receive comment on the proposal. Speakers raised the following issues:

Height, Bulk and Scale

- The scale of the adjacent properties are quite different for the two sites.
- Provide upper level setbacks and smaller masses to preserve sun exposure and views.

- Create smaller masses in response to the surrounding buildings.
- Add green spaces to the two corners of N. 34th St.
- Increase the setbacks on Wallingford Ave N.
- A height of 40' is sufficient. There is no need for an extra four feet.
- Strictly apply the Wallingford design review guidelines to the project.
- The building should step down with the sloping terrain.
- Break the building into smaller units.
- Step the structure away from the street. There shouldn't be building overhangs.

Commercial Uses

- Provide retail or office space along N. 34th St.
- Do not create live/work units. Prefer true commercial uses.
- Commercial development should complement the Varsity Inn.

Streetscape

- Add outdoor spaces that have sun exposure.
- Ensure that entrances are visible to the street
- Minimize blank and retaining walls.
- Add roll up doors on 34th St.
- Design of units facing Burke Ave should appear to flow into the adjacent developments.

Open Space

- Open space should be accessible to the community.

Parking

- Lack of driveways in the neighborhood force people to park on the street.
- Include parking with the rent for the apartment units.
- Provide as much bicycle parking as possible.
- Find parking for the neighbors.
- Residents will crowd out those using on-street parking for nearby recreational uses.
- Don't provide parking access to the north development site on Burke Ave. Wallingford Ave is the safest place for a garage entrance.
- Burke Ave N. is a narrow street. Parking access on Burke would endanger the young children who play in the neighborhood. There will be too much congestion if the parking garage is accessed from Burke.
- Each unit will likely have two vehicles associated with it. Make it mandatory that parking is associated with each unit.
- Organize a resident parking zone (RPZ) for the neighborhood.

Traffic

- Consider cumulative impacts of all the new development in the area.
- Safety of children is a concern.
- Provide free bus passes.
- There are more accidents on Burke Ave. N & N 34th St. than on Wallingford Ave N. & N. 34th St.
- With parking access on Burke Ave, cars will line up along Burke waiting to turn.
- The recreational activity in this portion of Wallingford produces considerable amounts of traffic.
- Drivers speeding on N. 34th St. have caused accidents.

- The least amount of traffic is between 34th and 35th Streets on Wallingford Ave.

Construction impacts

- Account for the cumulative impacts of all construction occurring in the area.
- The existence of smaller, struggling businesses will be endangered by construction impacts. Provide good communication between the construction company and the neighbors. A construction timeline would be helpful with a contact person. A plan is needed to assist businesses.
- Don't allow truck parking around the site.
- Preserve access to local businesses.
- Keep area clean.
- Provide an off-site parking lot for construction worker parking. The developer can shuttle workers to the site.

Drainage

- The combined sewer pipe is too small. Overflow occurs when it rains. With the new development, there is an opportunity to fix the problem.
- Create bioswales, rain gardens, green roofs and cisterns to address drainage issues.

Design

- Integrate the building into the neighborhood.

Other

- Don't grant departures from the land use code.
- Is the site contaminated?
- One of the structures to be demolished was a meth. house.
- Reduce the project in size by 1/3.

ANALAYSIS – ADMINISTRATIVE CONDITIONAL USE

SMC Section 23.47A.006A.3 states that residential uses may be permitted in Commercial Two (C2) zones as a conditional use subject to its relationship to major transportation systems and compatibility with surrounding areas. The Code states the following criteria:

1. The residential use generally should not be located in an area with direct access to major transportation systems such as freeways, state routes and freight rail lines.

2. The residential use generally should not be located in close proximity to industrial areas and/or nonresidential uses or devices that have the potential to create a nuisance or adversely affect the desirability of the area for living purposes as indicated by one of the following.

    a. The nonresidential use is prohibited in the NC3 zone.
    b. The nonresidential use or device is classified as a major noise generator; or
    c. The nonresidential use is classified as a major odor source.

3. In making a determination to permit or prohibit residential uses in C2 zones, the Director shall take the following factors into consideration.

    a. The distance between the lot in question and major transportation systems and potential nuisances;

b. The presence of physical buffers between the lot in question and major transportation systems and potential nuisances uses;
c. The potential cumulative impacts of residential uses on the availability for nonresidential uses on the availability for nonresidential uses of land near major transportation systems; and
d. The number, size and cumulative impacts of potential nuisances on the proposed residential uses.

The Seattle Department of Transportation has designated N. 34th St as a principal arterial a major truck route. Wallingford Ave N. is classified as a collector arterial. The two sites do not have direct access to other major transportation systems such as freeways, state routes or freight lines. Interstate 5 lays a minimum of 4,300 linear feet to the east with primarily single family residential uses between the site and the freeway. SR 99 (Aurora Ave N.) sits approximately 3,000 feet from the development site. The site is buffered from other major transportation routes by a mix of residential and commercial uses. There are no freight rail lines nearby.

Gas Works Park, two blocks south of the site, and the area beginning two blocks to the west of the site are zoned Industrial Buffer and Industrial Commercial. The mix of uses includes the new Brooks Shoe headquarters and light industrial. The addition of residences would likely complement many of these businesses. The emission of odors from the businesses would be negligible. The Seattle Public Utilities North Recycling and Disposal Station, which sits three blocks west of the subject site, may produce odor and noise nuisances at times. However, SPU is in the midst of redeveloping the site with a new more modern facility. The facility enables the transfer of recycling and other solid waste to other facilities. Residential uses are currently located between the Recycling and Disposal Station, buffering the proposal site from that facility.

The nonresidential uses in the vicinity of the subject property---office, retail, light industrial and storage are all permitted in the Neighborhood Commercial Three (NC3) zone. None of the nonresidential uses would be considered a major source of noise or odor. Few sources of potential nuisances in the vicinity exist to impact the proposed residential use. Predominant uses are multifamily, retail and office uses.

In sum, the proposed development is not near non-residential uses that are anticipated to create nuisance or adversely affect the desirability of the area for living purposes.

DECISION – ADMINISTRATIVE CONDITIONAL USE PERMIT

The proposed administrative conditional use permit is **GRANTED**.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from the two projects was made in the environmental checklist submitted by the applicant dated May 14, 2013. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related air quality, earth, grading, construction impacts, traffic and parking impacts as well as its mitigation.

Air Quality

Construction for this project is expected to add temporarily particulates to the air that will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the nearby residential buildings.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition.

Earth

The Stormwater, Grading and Drainage Control Code (SGDCC) requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit.

The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

Excavation to construct the mixed use structures will be necessary. The maximum depths of the excavation are approximately 20 feet and 21 feet for the north and south sites respectively. Excavation will remove an estimated 33,000 cubic yards of material from the collective sites. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Impacts

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Traffic and Parking

Duration of construction of the mixed use complex may last approximately 20 months. The construction of the project will have impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 33,000 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 3,300 round trips with 10-yard hauling trucks or 1,650 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area; increased demand for parking; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, greenhouse gas emissions; height, bulk and scale, traffic; parking impacts; public view protection and historic preservation warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Height, Bulk and Scale

The double site lies nestled in the southern portion of Wallingford. South of N. 35th St., the small residential sized lots with their single family houses and intermittent lowrise apartments that comprise the area north of the street begin to give way to larger development sites that house commercial and industrial uses. The character of Wallingford Ave., as one descends toward Lake Union with its dramatic view of downtown, evolves from the finer grain of bungalows to older commercial buildings and newer mid-rise structures (four to five stories) housing mostly residential units (The Tavola, the Biscayne, and the Regatta). N. 34th and Wallingford Ave possesses a commercial character mixed with newer mid-rise structures.

In general, Burke Ave possesses an even finer residential scale than Wallingford Ave. The zoning reinforces this quality with a blanketing of Single Family 5000 north of N. 35th. South of 35th, the zoning allows small lowrise residential development for the northern portion of the block between N.34 and N. 35th St. and then permits commercial uses closer to N. 34th St.

As described in the project description section above, the applicant seeks to develop two sizeable sites north and south of N. 34th St. between Wallingford Ave N. on the west and Burke Ave N. on the east. Massing of the north site is characterized by two parallel wings extending along much of these north south avenues with a linear open space separating them. A bridge connects the two wings across the open space as does a below grade parking garage. A mix of live/work units and residential units front onto the two avenues. The south building has a similar parti with two parallel bars or wings extending along the two avenues. This composition will be less visually apparent due to the presence of the Varsity Inn at the southeast corner of N. 34th St. and Wallingford Ave. N.

The size of the northern property allows for structures potentially larger than the nearby midrise buildings such as the Tavona and Biscayne. The Regatta, which possesses a development site roughly the equivalent size of the northern development, solves the bulk and scale issues by dividing the complex into three visually separate structures with plazas and pedestrian circulation forming the interstitial spaces with a "T" shaped open space.

During the review process, public comment through correspondence and at the SEPA meeting focused attention on the height, bulk and scale of the proposal, in particular the development site north of 34th St. DPD staff expressed similar concerns in the Early Design Guidance (EDG) report prior to the applicant's withdrawal of the design review component and in corrections to the applicant. Issues raised include the contrast of the extensive, uninterrupted building frontage with the existing single family and lowrise developments along Burke Ave N; structure setbacks along both avenues; the finer scale of comparable sized developments in the immediate vicinity; and the north structure's relationship to its split zoned lot.

The Wallingford frontage has an overall tripartite scheme with a small, three story mass within the LR2 zone, a connecting bridge to the larger and dominant central mass in the C2 zone and then a significant setback at the south where a plaza engages the intersection of Wallingford Ave and N. 34th. Overall the mass extends 225 feet along the 237 linear feet of the Wallingford frontage. The bulk of the smaller mass (within the LR2 zone) sits 19' 6" from the property line. Its third floor steps back another 18'6" from the elevation's dominant vertical plane. The bridge connecting the varying sized masses in the LR2 and C2 40 zones forms an open portal through the structure into the central plaza.

The majority of the first floor of the larger central mass sits 10'9" from the west property line with a few extra feet of modulation. A large portion of the second and third floors projects over the lower floor by three feet. The fourth, and upper most level, then returns to the same plane as the first level. The exterior stair tower, the predominant visual feature of the plaza, lies 32'10" from the Wallingford property line. The effect of the vertical and horizontal modulations, the setbacks and, to lesser extent, the change in height is, albeit a longer mass than the midrise structures across Wallingford Ave, one that relates in tone and rhythm.

The Burke Avenue elevation shares many of the attributes of the Wallingford Ave façade. It has multiple variations represented by changes in color, the introduction of balconies and projecting bays. The elevation, unlike the Wallingford frontage, has two clearly distinct masses---a portion within the LR2 zone that roughly resembles two townhouses and a longer uninterrupted mass or volume that extends to N. 34th St. These elements are connected by a two-story gasket setback several feet from the facades that contains an enclosed residential entry into the complex. This façade stretches 228 linear feet of the total 237 feet of the site's length or 96 percent of the Burke Ave. frontage.

The lower levels, the floors roughly meeting grade on a sloping site, have a consistent setback (with the exception of the entry) of 9'2" along Burke Ave. At building levels two and three, the wall both pulls both forward of the lower datum plane by three feet and pushes back two feet in places from the same plane. A portion of the fourth or upper most floor returns to the dominant vertical plane while other portions remain setback. The façade steps down a level as it approaches N. 34th St.

The bulk and scale of the Burke Ave façade is greater than the Wallingford Ave mass. The dominant vertical plane sits slightly closer to the property line, the portion of the building within the LR2 zone lies nearly nine feet closer to the property line than the Wallingford side, the gasket linking the two dominant masses is solid lacking the openness of its corresponding element, and it lacks a significant plaza or open space at the corner. While the character of the Burke frontage has the same extensive variation in the treatment of the wall, its presence looms larger on the

streetscape due to the narrower roadway width and smaller scaled structures along the street frontage.

Unlike most development sites, the north site possesses a split zoned lot (LR2 and C2-40). Had there been a separate ownership(s) for the two parcels comprising the north end of the property, the Land Use Code would require a setback on the C2-40 portion from the residentially zoned parcels (LR2) of ten to 15 feet above 13 feet in height. Due to the lack of a lot line (the development site has a single owner) separating the commercial from the residential zone, the Code does not require the development to provide a setback from the development on either side of the zone line. Had the parcels on either side of the zone line been independently developed, the resulting developments would have spacing between structures consistent with development all along Burke Ave. In this case, the applicant has created a continuous façade across the two separate zones, in effect, lengthening the building façade and increasing its overall bulk.

The design of the east façade and its concomitant massing produces a building of greater bulk and scale than the west or Wallingford Ave elevation. Where the latter generally fits into the larger scale of its immediate surroundings, the east elevation competes with the finer residential grain along Burke Ave. Several strategies in potential combination would reduce the building bulk and scale along Burke Ave. including separating the structure between the two zones (much like the Regatta); setting back the portion of the building within the LR2 zone to match the setback along Wallingford Ave in the same zone; and adapting the setbacks for the commercial zone when adjoining a residential zone.

The enclosed bridge over the open space connecting the wings was mentioned in public comment as well as by DPD staff in the EDG report as creating unnecessary bulk (and shadows) in the central court to minimize the number of stair and elevator towers. As the project evolved between the EDG report and the review of the MUP, the number of decks forming the bridge was reduced. The enclosed foot bridge remains internal to the complex and not an adverse cause of added bulk to the streetscape or neighborhood.

Commercial zones (NC2-65, C1-40 and C2-40) surround the south development site. Nearby uses include the adjoining one-story Varsity Inn restaurant, midrise buildings the Tavola and Regatta to the west and the two to three-story Marine Square, an offices building, a small apartment building and a commercial or manufacturing facility to the south. The proposed mixed use structure will resemble in height, bulk and scale the Regatta and the Tavola to the west. Although the other surrounding properties have a smaller scale, they have development potential to match the proposal's size. The building's formation would not cause height, bulk and scale serious impacts to the nearby properties.

The portion of the proposed development facing Burke Ave. north of 34th St. would have an adverse impact on its nearby surroundings due to bulk and scale conflicts. Specifically, the length of the complex facing Burke Ave. overwhelms the existing grain of the single family homes and small apartment buildings north of the C2-40 zone. The department conditions the proposal to revise the Burke Ave by using a potential combination of tools or strategies to reduce the bulk and scale by separating the structure between the two zones; setting back the portion of the building within the LR2 zone to match the setback along Wallingford Ave in the same zone; and adapting the setbacks for the commercial zone when adjoining a residential zone.

Historic Preservation

The existing buildings on the subject development sites were reviewed by the Department of Neighborhoods (LPB437/13) and determined that it is unlikely, due in part to a loss of integrity, that the existing structures would meet the standards for designation as an individual landmark.

Public View Protection

SEPA public view protection policy is stated in SMC 25.05.675P. In order to protect views of Seattle's natural and built surroundings, the City has developed particular sites and corridors for public enjoyment of views. The potential obstruction of public views may occur, specifically in this case, when a proposed structure is located in "close proximity to the street property line, when development occurs on lots situated at the foot of a street that terminates or changes direction because of a shift in the street grid patterns, or when a development along a street creates a continuous wall separating the street from the view." The Code enumerates views to specific natural and human made features worth preserving. The site's frontage on Wallingford Ave N. and N. 34th Street sits along two designated scenic corridors. The view shed on Wallingford Ave N. is primarily axial along the right of way and not across the site or a series of sites. Analysis projecting a representation of the proposed building within the Wallingford corridor illustrates that some occlusion or blockage to the views of downtown and Lake Union would occur; however, DPD does not consider the view blockage significant. The proposal would not block views of Lake Union or of the Cascades from N. 34th St.

Traffic and Transportation

The two proposed mixed use developments would generate approximately 935 average daily vehicle trips. However, only 550 of these trips would be net new trips due to the removal of the Avtech facility and the trips that it had produced. 44 of the net new week day trips would occur during the PM peak hour. Net new AM peak hour trips would be slightly less with 40 vehicles trips. The addition of the two mixed use buildings would not cause nearby intersections and the site access to degrade to an unsatisfactory level of service. Based on the traffic impact study prepared by Transportation Engineering Northwest (August 7, 2013), all but one off-site study intersections would operate at the same Level of Service (LOS) as a future without project conditions. The unsignalized intersection at N. 34th St. and Burke Ave N. would degrade from a LOS of D to E in the north bound direction due to an average increase in delay of one second for the northbound movement. In general intersections would have minimal increases in average vehicle delay caused by adding project related trips to the roadway network.

No SEPA mitigation of traffic impacts to the nearby intersections is warranted.

Parking

The applicant proposes a total of 283 parking spaces (north site: 181 / south site: 102). This amount exceeds city requirements (240 spaces required) by 43 spaces. Using the Institute of Transportation Engineers (ITE) findings to determine parking adequacy for a lowrise apartment building, the consultant, Transportation Engineering Northwest, determined that the residential parking demand would amount to 224 spaces (0.92 stalls per apartment). The consultant calculated a slightly higher number of residential units (240 vs. 236 dwelling units) than actually

planned; the lower number of dwelling units currently proposed are forecast to have a peak parking demand of 221 vehicles. The proposed total of 283 on-site parking stalls would exceeds ITE demand estimates by 62 spaces. Because parking demand would be fulfilled with the proposed project's parking supply, there are no anticipated impacts to on-street parking availability.

Transportation Engineering Northwest conducted an on-street parking utilization study in October 2013. The study identified the on-street parking capacity within 800 feet of the project site, and counted parking demand on two weekday evenings between 8:00 and 8:30 PM. A total of 606 on-street spaces were identified; the average parking demand in these spaces was 368 vehicles for a utilization rate of 61 percent. On-street parking supplies typically are considered to reach effective capacity when utilization rates are at 85 percent or higher.

The project proposes to include a parking fee separate from the dwelling unit rent. This would provide the option for residents to choose not to pay for on-site garage parking and instead seek to park at a lower cost (or for free) elsewhere. The likelihood of such behavior depends on several factors, some of which cannot be known at the present time, such as the future cost of project-supplied parking. The parking utilization information described above does allow an estimate of the parking impacts that would result given a particular displacement of parking demand. A shift of 25 percent of the parking demand from the garage to on-street spaces would add 55 vehicles to the on-street demand, resulting in an on-street capacity of 70 percent. A shift of 50 percent of the parking demand would add 111 vehicles, resulting in an on-street capacity of 79 percent. Roughly two-thirds of the project's parking demand would need to occur on-street for the on-street utilization to reach 85 percent. It is likely that the pricing of the parking garage would be set to not discourage such a high proportion of potential users as this would result in an appreciable loss of potential parking revenue.

Charging for paring as a distinct lease item may also have the effect of reducing parking demand by encouraging a certain percentage of residents to not own a vehicle (or a second vehicle). This has not been quantified in the above calculation, but could result in a net decrease in parking demand.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are anticipated to be non-significant. The conditions imposed below are intended to mitigate construction impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2C.

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

CONDITIONS – SEPA

Prior to Land Use Issuance

1. Revise the plans to reduce the bulk and scale of the north development site's Burke Avenue North façade by a combination of the following strategies: separate the structure between the two zones; set back the portion of the building within the LR2 zone to match the setback along Wallingford Ave in the same zone; and adapt the setbacks for the commercial zone when adjoining a lot in a residential zone.

During Construction

2. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Bruce Rips, (206-615-1392) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved.

Signature: (signature on file) Date: May 1, 2014
Bruce P. Rips, AAIA, AICP
Department of Planning and Development

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